

January 22, 2004

Commission acts on unsafe railroad crossings

The constitutionally created Arizona Corporation Commission (often called the public utilities commission in other states) is the statewide office that regulates the major utilities, such as Qwest, Southwest Gas, and APS, in Arizona. As its name suggests, the commission is the state agency where corporations and limited liability companies must file documents in order to start, and to continue, doing business in this state. The commission also has jurisdiction over the registration and sale of securities, private water and sewer companies, intrastate natural gas pipeline safety, the siting of power lines and power plants, and railroad safety.

It is this last realm of responsibility, railroad safety, that I am writing about today.

You may recall that last year this commission fined the Union Pacific Railroad Company \$100,000 for failure to maintain 10 railroad crossings in Arizona. This



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COMMENTARY

Last year this commission fined the Union Pacific Railroad Company \$100,000 for failure to maintain 10 railroad crossings in Arizona.

fine was the largest ever imposed on a railroad in the history of Arizona. Four of those crossings were in Chandler.

Union Pacific paid the fine, which was deposited into Arizona's general fund, and repaired all the crossings. I would like to thank Chandler's vice mayor, Lowell Huggins, for his support

on this issue.

As many of you may already know, I got my start in public service when I was appointed the presiding judge in the Chandler Municipal Court and later represented Chandler in the Arizona Legislature for a number of years. Because of these ties to the community, I was particularly concerned about the poor condition of the crossings in Chandler. However, most of the credit should go to the staff at the Arizona Corporation Commission, primarily Don Thompson, the railroad safety supervisor, and Tim Sabo from the commission's Legal Division.

Of course, none of this would have been possible without Commissioners Spitzer, Gleason, and Hatch-Miller. Their support of our staff's position on vigilant enforcement of railroad safety standards was also essential to protecting Arizona motorists and their passengers.

Recently it was brought to my attention by State Rep.

Bob Robson (R-Chandler) that the railroad crossings in the area of 56th Street and Ray Road as well as 56th Street and Chandler Boulevard had deteriorated to a point where they posed a hazard, so I asked our railroad safety supervisor, Don Thompson, about it. He informed me that those crossings were indeed in need of repairs and that he had sent a letter to Union Pacific to notify the railroad of the problem.

According to Commission regulations, the railroad is required to make temporary repairs within five working days and permanent repairs within 90 days from the date it receives that letter.

Here in Arizona we have one of the best railroad safety teams in the country. If you have a concern about a specific crossing, please call my office at (602) 542-3935 or wmundell@cc.state.az.us.

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is a member of the Arizona
Corporation Commission.